

fine for the lawyers and not the people they are so concerned about? This is where we need the reform, down in the trial court area.

I submit to you that they do this because they want to keep politics in the judiciary.

There is only one way to take politics out of the judiciary, and that is to take the judiciary out of politics. They appoint a judge and then throw him into the political arena. How can a judge campaign for office? Anyone who campaigns for office does it by promising something, and I think—Mr. Gallagher has stated it very well: You do not make contributions, you make an investment, and when you make an investment, you want a return on your money. You want to be paid back.

You expect interest, and it will come back to you in some form or another. We are down here to represent all of the people, not any chosen people, and our judges are concerned with all of the people. We are not putting friends on the bench. We are putting judges on the bench. A judge must reach his decisions according to law for all, not for a chosen few. Remember, if someone has a friend in court, you may be of necessity the enemy on the other side, and I urge you, after talking with many, many people, we have to take politics out of the judiciary by taking the judiciary out of politics. Thank you.

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: How much time do I have left?

THE CHAIRMAN: Seven minutes.

DELEGATE MUDD: Might I yield two minutes to Delegate Macdonald?

THE CHAIRMAN: Delegate Macdonald.

DELEGATE MACDONALD: There are two features of our system of selecting judges. One is appointment by the governor and then running for election. There are no rules or restrictions on this power of appointment, and the tendency is to favor those who are politically deserving. Herein lies an inherent weakness; those who are politically deserving are not necessarily those who are most qualified.

The second feature of the present system is a contested election. I can state from personal experience that many qualified lawyers refuse to offer themselves as candidates for office of judge because they do not want to undergo the time and expense of a contested election.

THE CHAIRMAN: You have one-half minute, Delegate Macdonald.

DELEGATE MACDONALD: Ladies and gentlemen, this is a true reform. I urge you to vote for it.

The Governor of Missouri, who was quoted by the Delegate from Baltimore City has said: "Thus far the present plan of Missouri, known throughout the United States as the 'Missouri Plan', is not a perfect solution." However, I believe it is a step in the right direction.

THE CHAIRMAN: Your time is up.

DELEGATE MACDONALD: It is improvement, ladies and gentlemen.

THE CHAIRMAN: Delegate Johnson, Delegate Mudd has five minutes left. Do you wish to close now?

DELEGATE JOHNSON: Thank you, Mr. Chairman.

At the outset I want to say that I am very grateful to you for appointing such an outstanding and fair man as Delegate Mudd as the Chairman of the Judicial Branch Committee, and although we differed on some areas, I found him to be exceedingly generous in time and patience with respect to the questions and debates before our Committee. I want to publicly thank him for the outstanding job he has performed.

The reason I say that is because for the first time during our debate on this judicial branch I have to take issue with a remark he made on Friday which I was willing to overlook; but he repeated it today, and that is with respect to the debate on the Missouri Plan.

My fellow delegates, there was no debate in the Judicial Branch Committee concerning the Missouri Plan, although we have heard a lot of testimony, pro and con, on the Missouri Plan. The debate, however, was limited, as the Chairman indicated, to how the majority adopted it.

When we reached that section of our Committee report dealing with the Missouri Plan, someone made a motion whether or not to change the process, and it was carried by a majority. A subsequent motion was made on whether or not we should adopt the Missouri Plan, and that was carried by the majority; and that is where we stood. That was the end of the debate on any and all alternative procedures.

Mr. Chairman and ladies and gentlemen: To my knowledge not one witness outside